

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____/

This Order Relates To:

ALL CASES

_____/

**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFFS' MOTION FOR RECONSIDERATION [2404]**

During a hearing held on March 8, 2023, the Court ordered Plaintiff's expert, Dr. Aaron Specht, to provide his pXRF MATLAB code to Defendants subject to a protective order. On March 22, 2023, Plaintiffs moved for reconsideration of the Court's Order. (ECF No. 2404.) On March 23, 2023, the Court ordered Plaintiffs to supplement the information contained in their motion for reconsideration by no later than March 27, 2023 at 5:00 pm.

By that deadline, Plaintiffs filed a Notice, which states: "Dr. Specht is capable of calculating the bone-lead levels and margins of error for the ten Bellwether III plaintiffs 'long hand.'" (ECF No. 2408, PageID.77055.)

Dr. Specht's calculations "will take him approximately forty-five (45) minutes" per Plaintiff. (*Id.*)

With this information, the Court is satisfied that, if Dr. Specht's long-hand calculations result in the same or substantially similar numbers as the MATLAB code results, then it is not necessary for Dr. Specht to share his proprietary MATLAB code with Defendants. If the results are the same or substantially similar as set forth, then the Court will allow Dr. Specht to conduct the calculations long-hand for two (2) of the Bellwether III Plaintiffs only and rely on his MATLAB calculations for the remainder of Plaintiffs without producing the proprietary code to Defendants. Plaintiffs should file a notice with the Court no later than Thursday March 30, 2023 at 5:00 pm to indicate whether they maintain their position that they would rather share the MATLAB code with Defendants under a protective order, or whether they will have Dr. Specht conduct two long-hand calculations as set forth above.

IT IS SO ORDERED.

Dated: March 28, 2023
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 28, 2023.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager